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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,457	11/20/2003	Kyung-Yol Yon	1293.1990	6652
21171	7590	09/28/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GLEITZ, RYAN M	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,457

Applicant(s)

YON ET AL.

Examiner

Ryan Gleitz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: LIQUID ELECTROPHOTOGRAPHY PRINTER HAVING EXHAUST SYSTEM WITH OXIDATIVE CATALYST FILTER.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “honeycomb carrier” and “non-woven heating mat” in claims 3, 7 and 13, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5, and 7-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurotori et al. (US 4,415,533).

Regarding claims 1, and 9-11, Kurotori et al. disclose an exhaust system of a liquid electrophotography printer including an exhaust line shown in figures 1 and 2 to discharge air inside an engine cell to an outside. Pump (7) reads on one exhaust fan, which is installed inside the exhaust line to generate and move the air inside the engine cell. Heater (3 or 3') is a heating coil to heat the air to be discharged through the exhaust line to ignite impurities contained in the air. The temperature range of 150 to 350 C, col. 4, line 11 completely overlaps that used by Applicant, and must be capable of igniting impurities in the air. Oxidation catalysts bed (4; col. 4, line 39) is an oxidative catalyst filter to filter and deodorize the impurities.

Regarding claim 3, covers (20, 21) form part of the exhaust line, and the oxidative catalyst filter (4) is installed inside the exhaust line and is normally of honey-comb construction and made of metals (col. 4, lines 39-50), which reads on metallic honeycomb carrier coated with a catalyst mixture.

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Regarding claim 4, figures 1 and 2 illustrate the arrangement of the heating coil (3 or 3') and the oxidative catalyst filter (4) installed adjacent to each other in an orientation that must be installed sequentially.

Regarding claims 5, 7, and 8, the exhaust system above also reads on a method for removing exhaust gas in an exhaust system of a liquid electrophotography printer.

Regarding claim 15 and 16, the exhaust system above is a direct combustion-catalytic oxidation unit.

Claims 1, 2, 4-6, and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (US 6,041,201).

Regarding claims 1, 9-12, Kim discloses an exhaust system of a liquid electrophotography printer, as shown in figure 2. Exhaust lines (L1 and L2) form the first part of an exhaust line to discharge air inside an engine cell to an outside. An exhaust fan (400) is installed inside the exhaust line to generate and move the air inside the engine cell. Heater (300) is a heating coil to heat the air to be discharged through the exhaust line to thermally decompose, col. 3, line 1, which reads on ignite, impurities contained in the air. Filter (200) is an oxidative catalyst filter to filter and deodorize the impurities. Col. 2, lines 42-45.

Regarding claim 2, the heating coil (300) is installed inside the exhaust line and covered by filter (200) which is formed of platinum, which reads on the heating coil is coated with platinum on an outer surface.

Regarding claim 4, a hollow cylinder is formed in the platinum catalyst filter and the heater is installed in the hollow cylinder, col. 2, lines 16-18, which reads on the heating coil and

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the oxidative catalyst filter are sequentially installed adjacent to each other, as additionally shown by figure 2.

Regarding claims 5, 6, and 8, the exhaust system above also reads on a method for removing exhaust gas in an exhaust system of a liquid electrophotography printer.

Regarding claim 15 and 16, the exhaust system above is a direct combustion-catalytic oxidation unit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3, 7, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US 6,041,201) in view of Yamamoto et al. (US 6,535,703).

Kim disclose the method and apparatus above but do not disclose that the filter is a metallic honeycomb carrier or a non-woven heating mat.

However, Yamamoto et al. disclose an exhaust system for a liquid printer including a filter having a honeycomb structure (col. 8, line 43) to maximize the efficiency of the filter.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the filter of Kim with the honeycomb structure taught by Yamamoto et al. because in an exhaust cleaning device of honeycomb structure in which the form of the columnar flow passages is orthohexagonal pole, utilization efficiency of the inside space of the case and contacting efficiency between the adsorbent and the exhaust are particularly high. Col. 12, lines 57-62.

Response to Arguments

Applicant's arguments filed 2 September 2005 ("Response") have been fully considered but they are not persuasive.

With respect to the objection to the Title, no response has been entered in the file.

With respect to the drawings' objection made above under 37 CFR 1.83(a), Applicant submits that "[t]he claims are always construed in light of the specification," and therefore the drawings need not comply with 37 CFR 1.83(a) because the claims find support in the specification. See Response, p. 7. 37 CFR 1.83(a) requires "The drawings in a nonprovisional application must show every feature of the invention specified in the claims."

Applicant further cites *Slimfold Mfc. Co. v. Kinkead Indus. Inc.*, 810 F.2d 1113, 1118, 1 USPQ2d 1563, 1566 (Fed. Cir. 1987), and also, *Network LLC v. Centraal Com.*, 58 USPQ2d 1079 (CAFC March 14, 2001) in support. (A Network LLC case does not appear at that location, but *Network LLC v. Centraal Corp.* does appear at a page nearby the cited page, 1076, of the same volume.)

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Neither of these cases discusses the requirements of 37 CFR 1.83(a), because neither of the cases even mentions the drawings or figures. Applicants arguments are therefore disregarded.

With respect to the rejection made under 36 USC 102(b) as being anticipated by Kurotori et al., Applicant submits that Kutori does not disclose igniting the impurities contained in the air. See Response, p. 8.

While Kurotori et al. do not use the term “ignite” the reference does disclose an oxidative catalyst filter and a heating coil that heats the air to 150 C to 350 C. Col. 4, line 11. Applicant notes that a heating temperature of less than 150 C is not sufficient, and a heating temperature in excess of 300 C serves no additional purpose. See p. 4, [0020].

It is also noted that the claim limitation, “to ignite impurities in the air” is functional language, and if the prior art structure is capable of performing the intended use, then it meets the claim.

Because Kurotori et al. disclose the same temperature range of Applicant, it must be capable of igniting impurities in the air.

With respect to the rejection made under 36 USC 102(b) as being anticipated by Kim, Applicant submits that Kim does not disclose igniting the impurities contained in the air. See Response, p. 9.

While Kim does not use the term “ignite”, the reference does disclose that the solvent, an impurity, included in the air is *thermally decomposed* at about 200 C. See col. 2, line 59 - col. 2,

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line 2. Applicant notes that a heating temperature of less than 150 C is not sufficient, and a heating temperature in excess of 300 C serves no additional purpose. See p. 4, [0020].

It is also noted that the claim limitation, "to ignite impurities in the air" is functional language, and if the prior art structure is capable of performing the intended use, then it meets the claim.

Because Kim disclose the same temperature range of Applicant, it must be capable of igniting impurities in the air.

With respect to the rejection under 35 USC 103(a) over Kim in view of Yamamoto, Applicant submits that neither of the references disclose the limitations discussed in paragraph [0019] of the Specification. See Response, p. 10.

This argument cannot be considered because Applicant has merely made a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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